

Adversary Summons Issuance and Service

As part of the Adversary case opening process, a summons will automatically be generated and issued by the CM/ECF system. The summons will extract the necessary information (e.g., case numbers, party names, attorney for the plaintiff, etc.) from the case opening record. The summons will also be automatically docketed in CM/ECF at the time of issuance. Filers will receive a hyperlink to the summons within the Notice of Electronic Filing at the end of the case opening process and via e-mail. The summons may be opened and printed for service as follows:

1. Click on the **Summons Issued** hyperlink contained in the docket text. (See Figure 1)

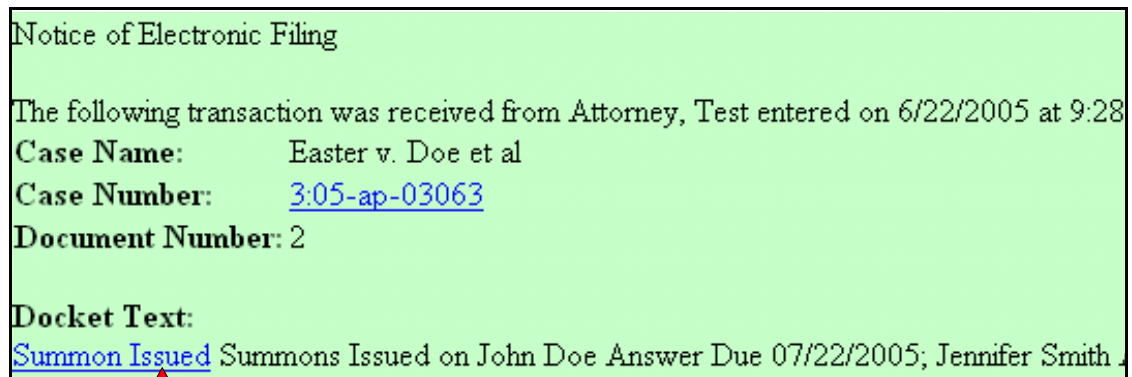


Figure 1

After the summons has been printed it will need to be served on all defendants in the adversary proceeding. If you plan on attaching a copy of the summons to your certificate of service, a copy of the PDF summons should be saved to a directory of your choice for this purpose.

2. Once the summons has been served you will need to file a Certificate of Service for the summons. A PDF writable Summons Certificate of Service form is available on the court's website under the **Forms & Publications** menu (Local Rules and Forms option).

3. Once you have prepared your Summons Certificate of Service, you will need to file this document using CM/ECF. Click on the **Adversary** hyperlink on the CM/ECF Main Menu. (See Figure 2)

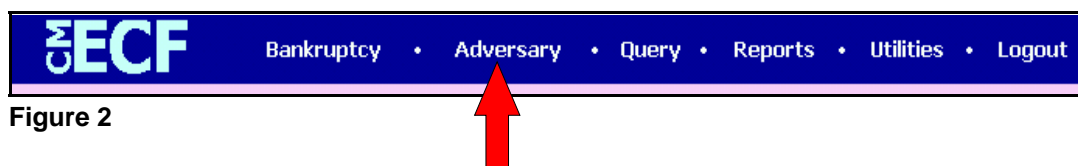


Figure 2

4. Click on the **Complaint & Summons** hyperlink on the Adversary Events menu. (See Figure 3)

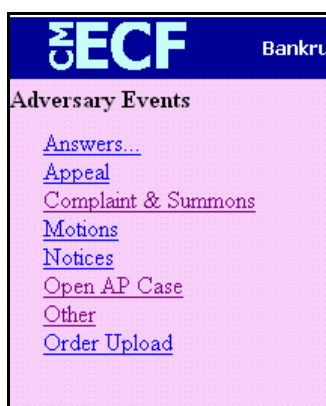


Figure 3

5. The **Case Number** screen displays the last case number used in this CM/ECF session. If this is the correct case, accept it by clicking **[Next]**. Otherwise, enter the correct case number in YY-NNNN format and click **[Next]**. (See Figure 4)

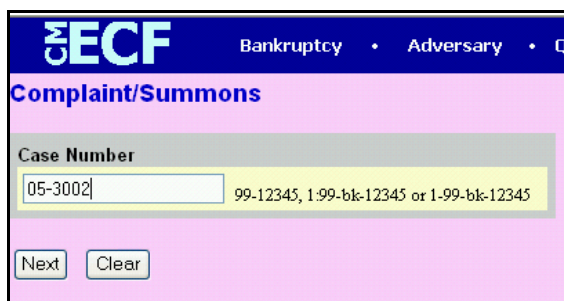


Figure 4

6. Select the **Summons Service Executed** event from the Event Selection screen. Click **[Next]**. (See Figure 5)



Figure 5

7. The PDF Document Selection screen will display. (See Figure 6)

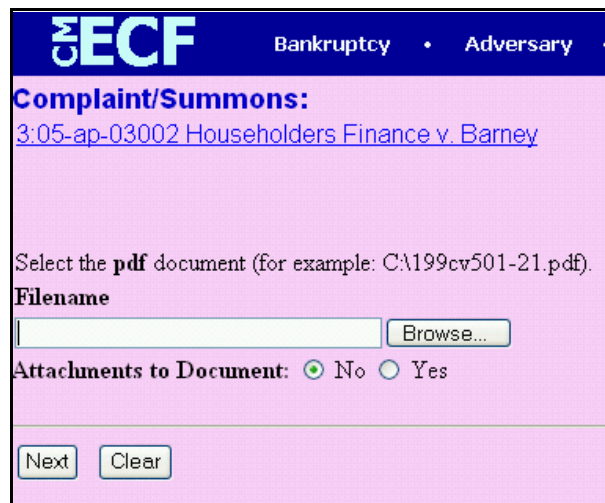


Figure 6

- Click **[Browse]**, then navigate to the directory where the completed Summons Certificate of Service is saved.
- To make certain you are about to associate the correct PDF file for this entry, right click on the file name.

- Select open option from the displayed dialogue box. (See Figure 6a)

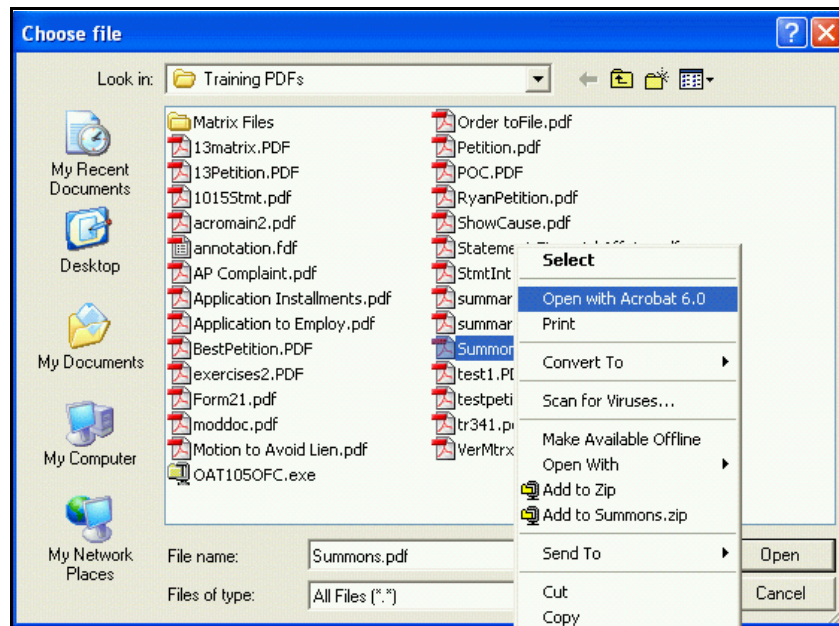


Figure 6a

- This will launch the Adobe Acrobat Reader. Review the document that is to be uploaded. Verify that the document is correct.
- Close the Adobe application. If the correct file has been selected, click **[Open]** on the File Upload dialogue box. (See Figure 6b)

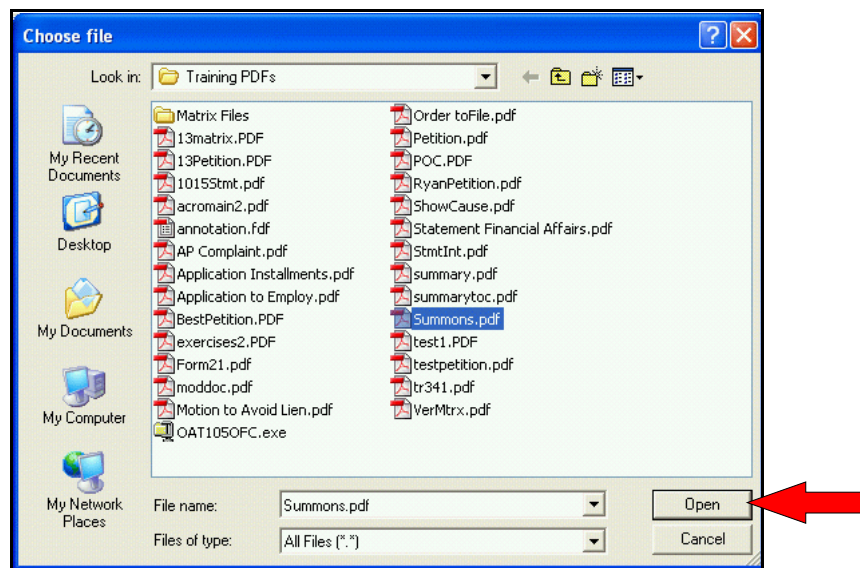
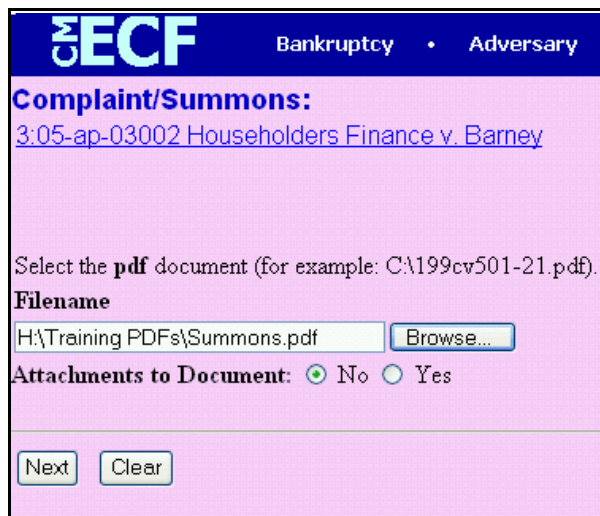


Figure 6b

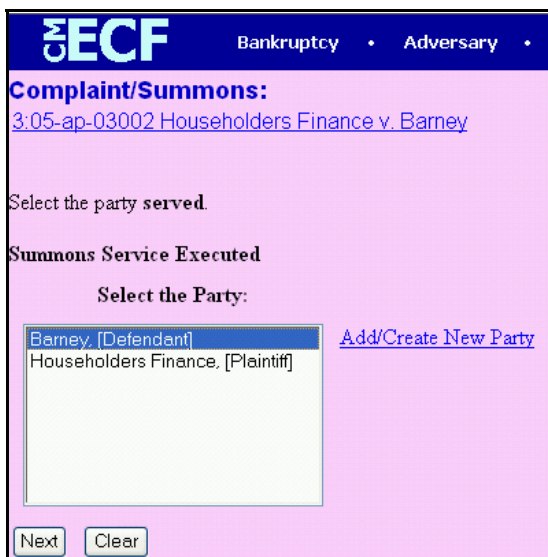
8. The PDF Document Selection screen will now reflect the filename for the selected PDF document. Click **[Next]**. (See Figure 7)



The screenshot shows the CM/ECF web interface. At the top, there is a blue header with the CM/ECF logo and navigation links for "Bankruptcy" and "Adversary". Below the header, the page title is "Complaint/Summons:" followed by a blue hyperlink "3:05-ap-03002 Householders Finance v. Barney". The main content area has a light pink background. It contains the instruction "Select the pdf document (for example: C:\199cv501-21.pdf)." followed by a "Filename" label. Below this is a text input field containing "H:\Training PDFs\Summons.pdf" and a "Browse..." button. Underneath is the "Attachments to Document:" section with two radio buttons: "No" (which is selected) and "Yes". At the bottom of the form are two buttons: "Next" and "Clear".

Figure 7

9. Select the party that the summons was served on from the party list. Click **[Next]**. (See Figure 8)



The screenshot shows the same CM/ECF web interface as Figure 7. The page title remains "Complaint/Summons:" with the same blue hyperlink. The instruction now is "Select the party served." Below this is the section "Summons Service Executed" with the label "Select the Party:". There is a list box containing two entries: "Barney, [Defendant]" and "Householders Finance, [Plaintiff]". To the right of the list box is a blue hyperlink "Add/Create New Party". At the bottom of the form are two buttons: "Next" and "Clear".

Figure 8

10. You will now be prompted to enter the date the summons was served. Enter the appropriate date and click [Next] to proceed. (See Figure 9)

The screenshot shows a web interface for the ECF system. At the top, there is a blue header with the ECF logo and navigation links for "Bankruptcy" and "Advers.". Below the header, the page title is "Complaint/Summons:" followed by a link to "3:05-ap-03002 Householders Finance v. Barney". The main content area is pink and contains the text "Enter date served". Below this, there is a label "Barney - Date served:" followed by a text input field containing "6/22/2005". At the bottom of the form, there are two buttons: "Next" and "Clear".

Figure 9

11. Click [Next] again.
12. The final docket text will display. Verify the final docket text and click [Next] to complete the filing. (See Figure 10)

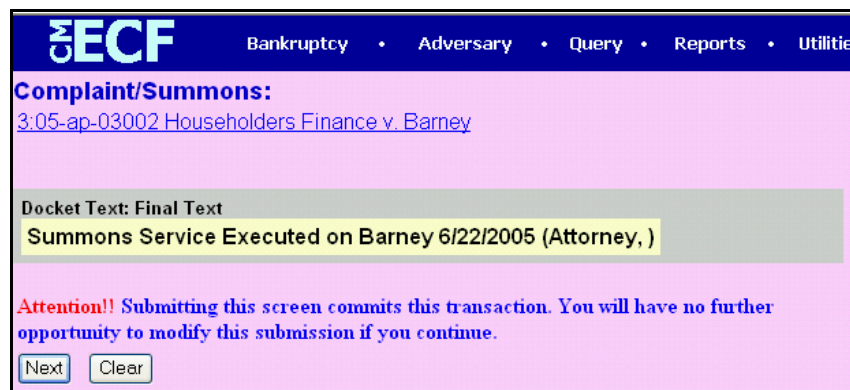
The screenshot shows the same ECF web interface as Figure 9. The page title and link are the same. The main content area is pink. Below the title, there is a grey box with the text "Docket Text: Final Text". Below this, there is a yellow box with the text "Summons Service Executed on Barney 6/22/2005 (Attorney,)". Below the yellow box, there is a red text warning: "Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue." At the bottom of the form, there are two buttons: "Next" and "Clear".

Figure 10

13. The Notice of Electronic Filing will be generated and displayed.

Issuance of Amended, Alias, and Third Party Summons

On occasion, a summons will need to be served outside of the case opening process. For these instances, the court will prepare and issue the needed summons. You will notify the court of the need for summons issuance as follows:

1. Click on the **Adversary** hyperlink on the CM/ECF Main Menu. (See Figure 11)



Figure 11

2. Click on the **Complaint & Summons** hyperlink on the Adversary Events menu. (See Figure 12)

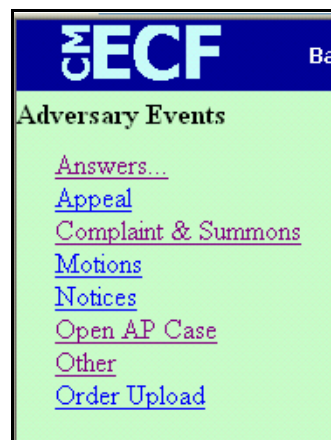


Figure 12

3. The **Case Number** screen displays the last case number used in this CM/ECF session. If this is the correct case, accept it by clicking [Next]. Otherwise, enter the correct case number in YY-NNNN format and click [Next]. (See Figure 13)

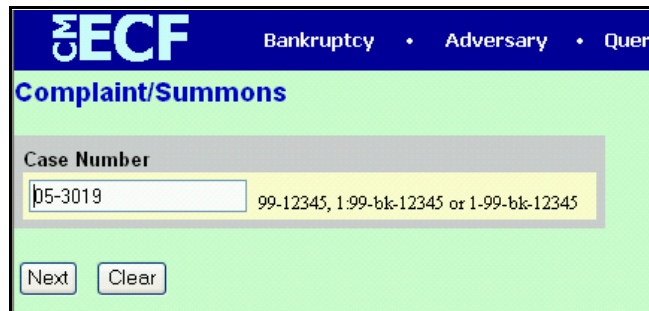
The screenshot shows the CM/ECF interface with a blue header bar containing the logo and navigation links for Bankruptcy, Adversary, and Query. Below the header is a green section titled "Complaint/Summons". A grey box labeled "Case Number" contains a text input field with "05-3019" and a yellow tooltip box displaying "99-12345, 1:99-bk-12345 or 1-99-bk-12345". At the bottom of the grey box are "Next" and "Clear" buttons.

Figure 13

4. Select the **Request for Issuance of Summons** event from the Event Selection screen. Click [Next]. (See Figure 14)

The screenshot shows the CM/ECF interface with a blue header bar containing the logo and a "Bankruptcy" link. Below the header is a green section titled "Complaint/Summons". It displays the case number "3:05-ap-03019" and the name "Easter v. Doe". A list box contains several event options: Amended Complaint, Counterclaim, Crossclaim, Notice of Removal, Registration of Foreign Judgment, Request for Issuance of Summons (which is highlighted), Summons Service Executed, and Summons Service Unexecuted. At the bottom are "Next" and "Clear" buttons.

Figure 14

Note: The Request for Issuance of Summons is a virtual filing event. No PDF document is needed, and you will not be prompted to attach a document.

5. CM/ECF will display a warning message regarding the use of this docketing event. Review the message and click [Next]. (See Figure 15)


A screenshot of the CM/ECF web interface. At the top, there is a blue header with the 'ECF' logo and the text 'Bankruptcy • Ad'. Below the header, the page title is 'Complaint/Summons:' followed by a blue hyperlink '3:05-ap-03019 Easter v. Doe'. The main content area has a light green background and contains a warning message in blue and red text: 'THIS EVENT SHOULD ONLY BE USED FOR THE ISSUANCE OF A SUMMONS OUTSIDE OF CASE OPENING'. At the bottom of the green area are two buttons: 'Next' (highlighted with a yellow border) and 'Clear'.

Figure 15

6. Indicate the type of summons that should be issued by clicking the appropriate radio button. Click [Next]. (See Figure 16)

A screenshot of the CM/ECF web interface. The header is the same as in Figure 15. The page title is 'Complaint/Summons:' followed by a blue hyperlink '3:05-ap-03019 Easter v. Doe'. The main content area has a light green background and contains the text 'Select Which Type of Summons is to be Issued'. Below this text are four radio button options: 'Alias', 'Amended', 'Third-Party', and 'Additional Party'. At the bottom of the green area are two buttons: 'Next' and 'Clear'.

Figure 16

7. Enter the name(s) of the person the summons is to be issued upon and click [Next]. (See figure 17)

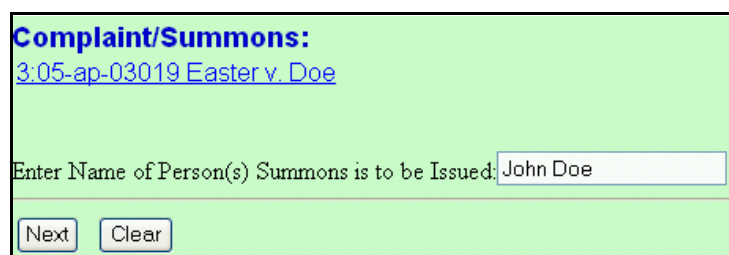
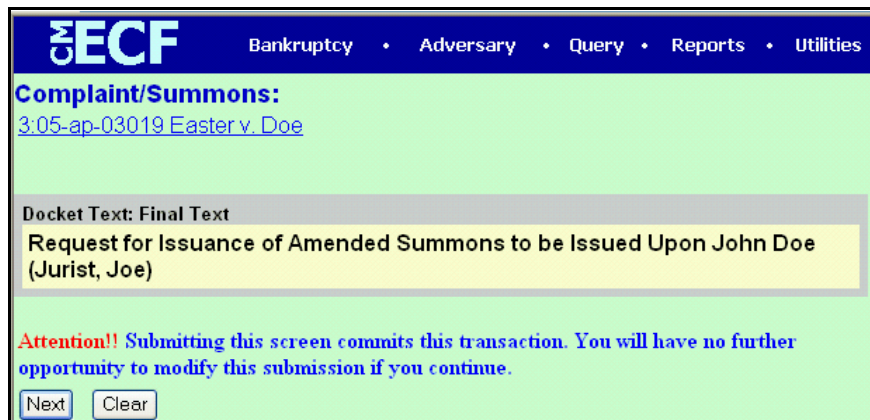
A screenshot of the CM/ECF web interface. The header and page title are the same as in Figure 16. The main content area has a light green background and contains the text 'Enter Name of Person(s) Summons is to be Issued:'. To the right of this text is a text input field containing the name 'John Doe'. At the bottom of the green area are two buttons: 'Next' and 'Clear'.

Figure 17

8. Click [Next] again to continue.
9. The final docket text will display. Verify the final docket text and click [Next] to complete the filing. (See Figure 18)



The screenshot shows the CM/ECF web interface. At the top is a blue navigation bar with the CM/ECF logo and links for Bankruptcy, Adversary, Query, Reports, and Utilities. Below this is a green header area with the text "Complaint/Summons:" and a link "3:05-ap-03019 Easter v. Doe". The main content area has a grey header "Docket Text: Final Text" and a yellow box containing the text "Request for Issuance of Amended Summons to be Issued Upon John Doe (Jurist, Joe)". Below the yellow box is a red "Attention!!" warning: "Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue." At the bottom are "Next" and "Clear" buttons.

Figure 18

10. The court will review the request and issue the appropriate summons. You will receive the summons via a Notice of Electronic Filing titled Summons Issued. When you receive this Notice of Electronic Filing, print out the summons and complete service. Once service of the summons has been completed, file a Summons Certificate of Service in the manner previously described in this manual.